



**OPASTCO**

June 2, 2005

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Office of the Secretary  
Washington, DC 20554

**RE: Ex Parte Communication**

**WT Docket No. 02-353 – Service Rules for Advanced Wireless Services (AWS) in the 1.7 GHz and 2.1 GHz Bands**

Dear Ms. Dortch:

The Organization for the Promotion and Advancement of Small Telecommunications Companies (“OPASTCO”) hereby submits this ex parte letter to support a proposal submitted by T-Mobile USA, Inc. and the Rural Telecommunications Group, Inc. (“RTG”) to revise the band plan for Advanced Wireless Services (“AWS”) in the 1710-1755 and 2110-2155 MHz bands. As discussed in further detail below, the creation of a sixth AWS license block will better promote competition among wireless carriers in all areas of the county, including rural and underserved areas.

OPASTCO is a national trade association representing over 560 small telecommunications carriers serving rural areas of the United States. Its members, which include both commercial companies and cooperatives, together serve more than 3.5 million customers. All OPASTCO members are rural telephone companies as defined in 47 U.S.C. §153(37). More than half of OPASTCO members provide some form of wireless service.

The T-Mobile/RTG proposal specifically recommends that the Commission divide the 30 MHz AWS E Block licenses into three constituent parts and incorporate those parts in the following modified AWS band plan: One 10 MHz block of spectrum (1750-1755 paired with 2150-2155 MHz) would continue to be licensed within the 12 Regional Economic Area Groupings (“REAGs”) (new Block F); the second 10 MHz spectrum block (1745-1750 paired with 2145-2150 MHz) would be licensed within the 176 Economic Areas (“EAs”), rather than on a REAG basis (new Block E); and the third 10 MHz spectrum block (1740-1745 paired with 2140-2145 MHz) would be combined with the 10 MHz (1735-1740 paired with 2135-2140 MHz) currently assigned to the existing D Block for a total of 20 MHz of paired spectrum within the 734 Rural Service Areas (“RSAs”)/Metropolitan Statistical Areas (“MSAs”). The existing AWS A, B and C license blocks, established in the Commission’s *Report and Order*,<sup>1</sup> would

---

<sup>1</sup> *Service Rules for Advanced Wireless Services in the 1.7 GHz and 2.1 GHz Bands*, Report and Order, 18 FCC Rcd 25162 (2003), *recons.* Pending (Report and Order).

remain unchanged. The result would be six license blocks, with three based on REAGs, two based on EAs, and one based on MSAs/RSAs.

At present, the rules applicable to spectrum auctions create large geographic licensing territories that make it impossible for rural carriers to gain access to licenses that come close to fitting the geographic areas they are interested in serving. These licenses are extremely expensive, and in addition to this expense, small carriers are often forced to compete against large carriers and their vast resources for the same license. Without access to affordable, appropriately-sized spectrum licenses, smaller carriers cannot augment their existing voice and data services or deploy innovative product offerings that are sought by their customers.

Creating an opportunity for six separate bidders to obtain a license rather than five and allowing one of those licenses to cover twenty megahertz of spectrum devoted to the smaller RSA/MSA geographic areas would make licenses more affordable, would more closely approximate the areas that small carriers are interested in serving, and would ultimately lead to more rural carrier participation in auctions. Furthermore, the T-Mobile/RTG proposal would promote efficiency because smaller license territories would ensure that licensees are not forced to acquire more spectrum than they actually need. OPASTCO therefore urges the Commission to seriously consider the T-Mobile/RTG plan.

Sincerely,

/s/ Stuart Polikoff

Stuart Polikoff

Director of Government Relations

OPASTCO